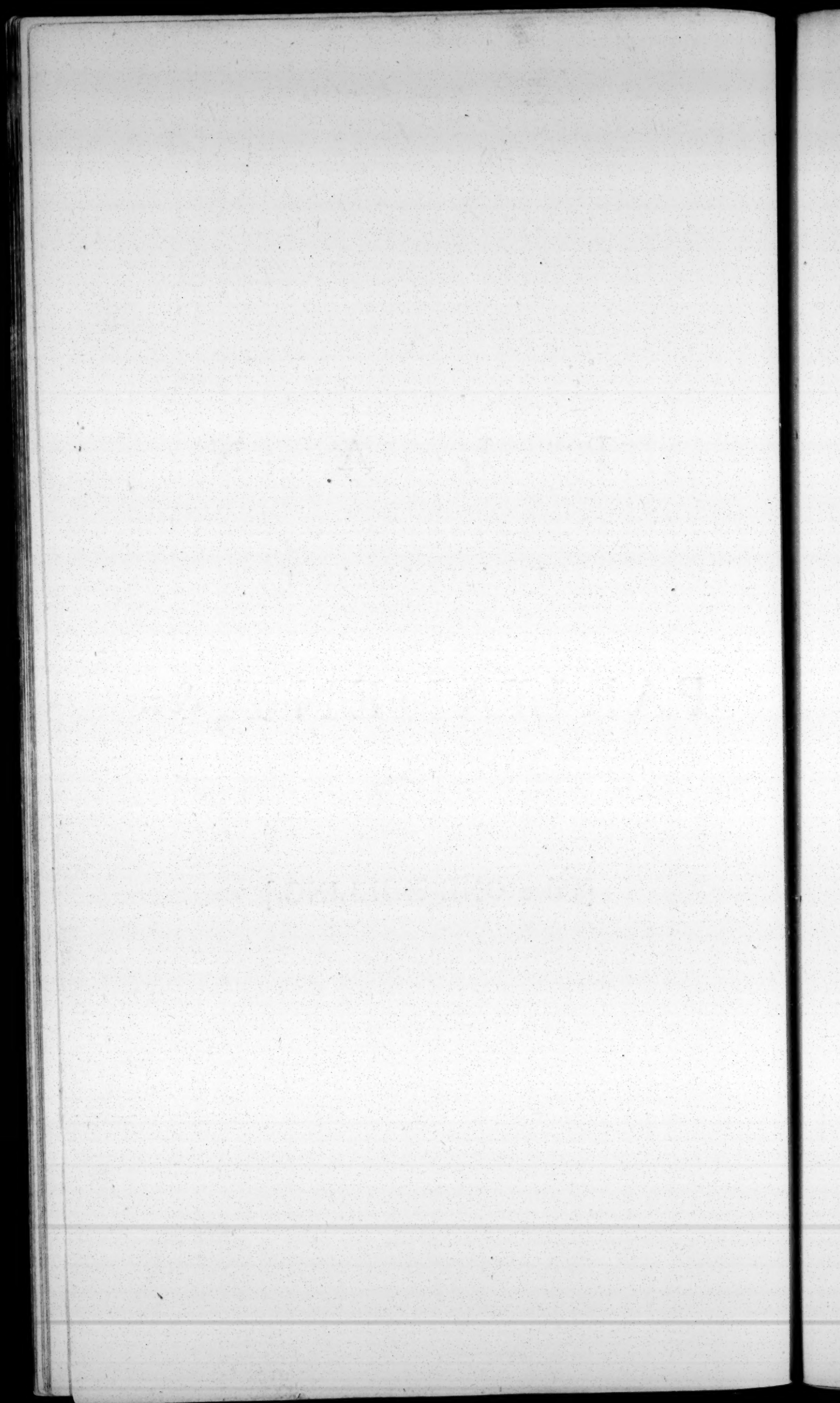


A
P L A N

For the Consideration of

PARLIAMENT, &c.

[Price ONE-SHILLING.]



K
Gr. Britain Parliament *523.9 23*
4

A
P L A N
For the Consideration of
P A R L I A M E N T;
WITH

Most necessary Instructions for the Trading Part of the Community, against the various Frauds daily committing by that pernicious

Set of Men called **SWINDLERS.**

In this Tract is contained not only the certain means of detecting the Sharper and Swindler, but of totally preventing their very Existence.

The following Sheets demand the Attention of every Tradesman; as in them is clearly pointed out the utter impossibility of the Swindler's disposing of the Goods he obtains by Fraud and Imposition. The Hints for extirpating so baneful a Race from Society, are recommended to the serious perusal of every Member of the British Senate.

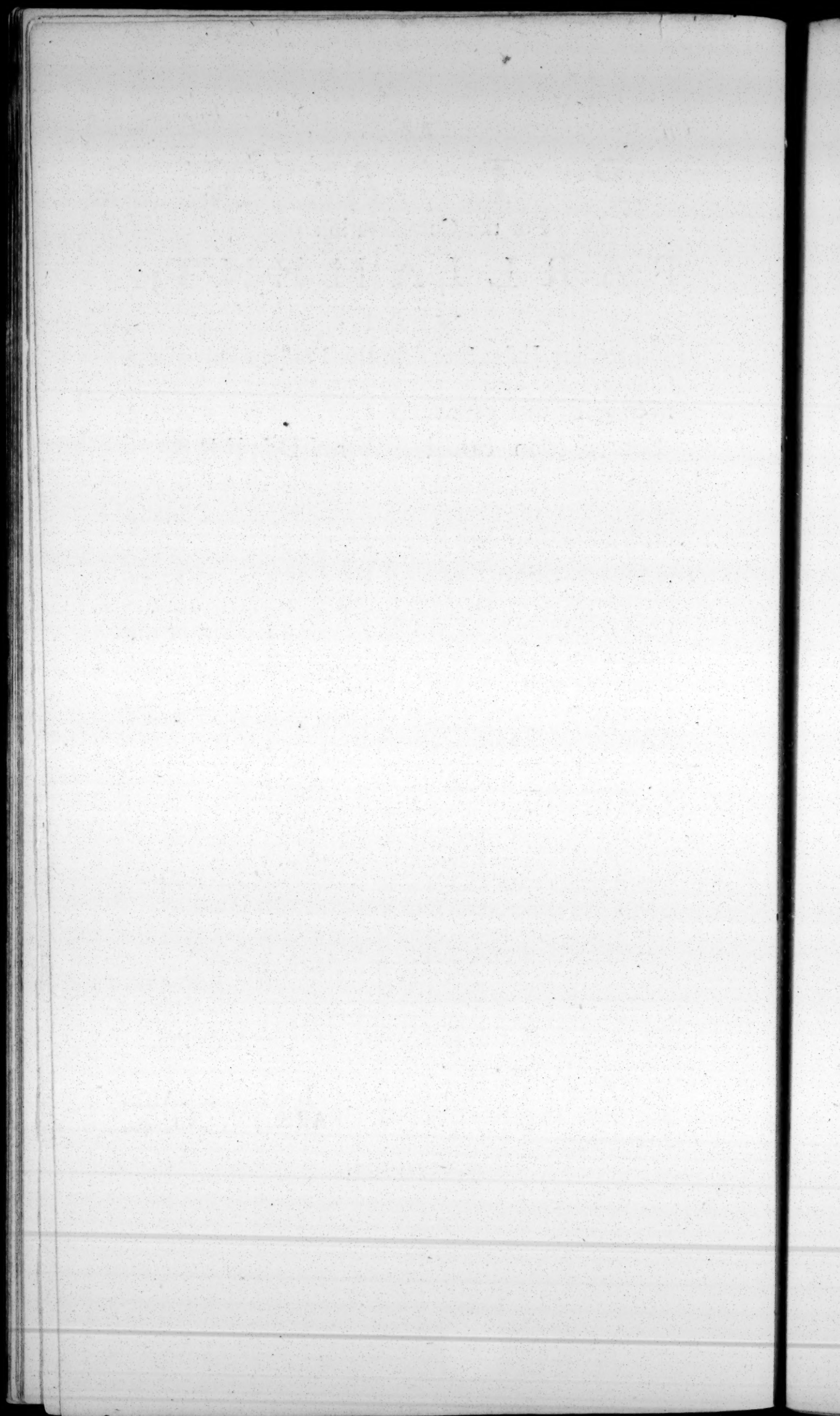
“ ——— commit these Wretches to my Care.
“ First let 'em each be broken on the Rack,
“ Then, with what Life remains, impal'd and left
“ To breathe at leisure round the bloody stake.
“ There let 'em hang and taint the Southern Wind.
“ The Partner of their Crime will learn obedience,
“ When they look up and see their Companions
“ Stuck on a Fork and Black'ning in the Sun.”

ADDISON.

By a **GENTLEMAN** of Lincoln's-Inn.

Printed for the Author, and Sold by J. STOCKDALE,
No. 181, Piccadilly; and G. KEARSLEY, No. 46,
Fleet-Street.

M.DCC.LXXXI.



T O

FREDERICK BULL
JOHN SAWBRIDGE
GEORGE HAYLEY, and
NATHANIEL NEWNHAM, Esq^r.

Aldermen and Members of Parliament
for the City of London.

GENTLEMEN,

As Representatives of the greatest and
most opulent City in the British Domi-
nions, and consequently Guardians and
Protectors of its Laws and Liberties, the
following Treatise

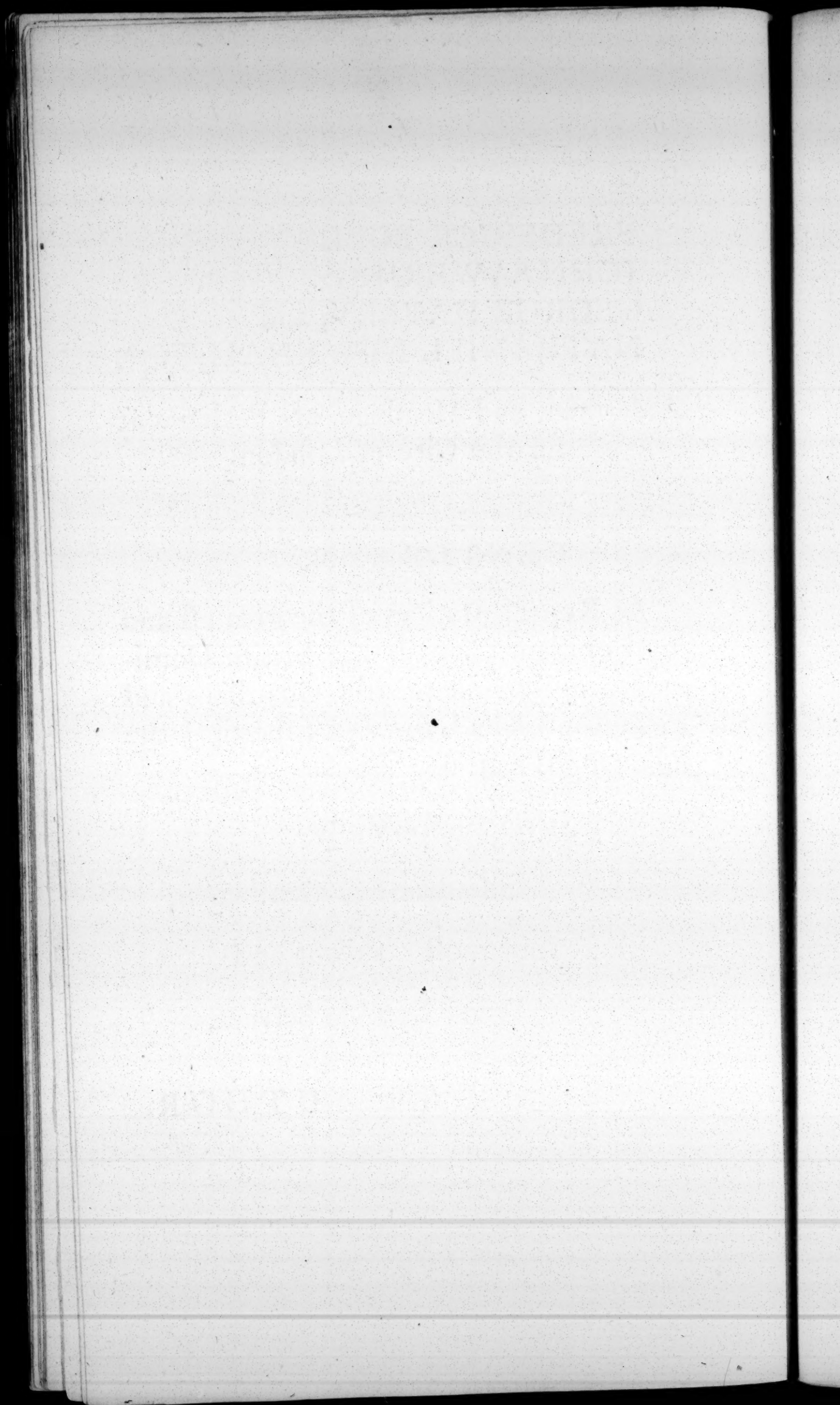
is very respectfully

inscribed by, Gentlemen,

your most obedient and

most humble Servant,

The AUTHOR.



P R E F A C E.

IT will readily be allowed, that a thorough knowledge of the various mal practices made use of by the Sharper, Swindler, and other needy Adventurers, is the only barrier or security against future impositions.

The Author by the originality of this performance (for there has not been any book of this kind before offered to the public,) is induced to believe, that he can relate certain transactions totally unknown to the generality of his readers; he has therefore taken a larger scale on which he traces the Sharper to his *der-nier resort*, effectually dislodges him, and to finish the chace, points out certain methods to destroy the whole *baneful* breed. The chief cause of his continuing in his illicit practices, by the encouragement he meets with from his associ-
ate

ate the Pawnbroker, is clearly made to appear. A plan is pointed out to prevent such encouragement, which if adopted by the legislature would be of infinite advantage to the commercial part of this empire. The light held out in the following pages are so clear and diffusive, that it deserves the attentive perusal of every member of society. In this tract there is nothing related with exaggeration, or in the least, tinged with imaginary anecdotes.

A

P L A N

For the Consideration of

P A R L I A M E N T, &c.

AT a period when extravagance and dissipation gain ground in any kingdom, it is an undoubted fact that poverty must inevitably follow, there is scarcely a mechanic but will endeavour to ape the gentleman, and live far beyond the income, which his honest labour brings in for his daily subsistence, to support which, he has recourse to every practicable method of raising money : and as this cannot be accomplished without the assistance and connivance of some other person.

I shall in a brief manner lay before the public in the following sheets, the methods made use on for such purpose, and also propose a plan, for the consideration of the legislature, which will effectually put a stop to the mechanic raising money on goods which ought to remain in his possession ; and the swindler from raising money on such as he has no legal right to be possessed of.—To prevent an evil we must totally prohibit the means of committing it.—

B

The

The following instance will fully prove the justness of this observation.—For many years the gold coin of this kingdom was counterfeited and diminished; some guineas wanting two or three shillings of weight, and smaller pieces in proportion; the punishment for this crime was death, and seldom a sessions passed without one or more forfeiting their lives to the injured laws of their country. This was not a means of *preventing* the evil, it was only a punishment for the offender when convicted, and hundreds escaped undetected; the legislative power at last discovered an effectual method of prevention, by forbidding all persons taking any gold coin under the standard weight, (a proper allowance being made for wear.) This was undoubtedly the only effectual method that ever could have put a stop to this iniquitous practice, as no person will make up goods when there is no market for sale. At first when this matter was agitated, there was much murmuring by all ranks of people, particularly those who held a few light guineas. Now tho' they would at first certainly lose a little by the deficiency of their coin, yet when they seriously considered, that this was the only effectual method of putting a stop to so illegal a practice, which was hurtful to every one, even the poorest mechanic; they would cheerfully submit to suffer a present trivial loss, for the securing a future material advantage to the whole nation. There have likewise been various plans laid for
pre-

preventing swindlers from preying on the public, none have, however, yet, proved effectual, nor perhaps ever will, till some method is adopted to hinder them from *disposing* of the goods they have fraudulently obtained. In this performance it is my wish and intention to point out the means of preventing, or however checking this infamous practice, and thereby of serving the public. The generality of mankind, I believe, will be of opinion with me, that a set of men called pawnbrokers, are the greatest encouragers of swindlers, particularly in this great and populous city, it is a matter well worthy the consideration of parliament to form a law, either to extirpate the whole race of pawnbrokers, or reduce them to some limited number. For tho' it should be even thought to be of some service to the public, not entirely to prohibit them, yet it will be found necessary, that their number be limited, and also under great restrictions. The advantage of such a limitation and restriction, will, at first sight appear, if we consider the connection there is between the pawnbroker and his associate the swindler. I will therefore make it appear, that the pawnbroker is the chief abetter and encourager of sharpers, swindlers, and every species of necessitous adventurers; that by his assistance and connivance, they are enabled to pursue their wonted track of villany, by imposing on the fair and unsuspecting trader.

On detecting a swindler, or sharper, in case he is endowed with a sufficient share of honour or honesty, to make an open confession, you will find a part, if not the whole of the property in pledge. If a mechanic embezzels or makes away with goods entrusted to his care, to repair, clean, or make up, you will seldom know an instance of their being wholly disposed of, but will find them likewise in pawn. I shall in a future page expatiate more largely on the fatal effects produced from that *pernicious* habit of pawning, it being an evil that from custom becomes habitual, and while a poor unthinking deluded wretch has a single article, or can obtain one to be the means of supplying his present wants, he is happy. In another point of view they are encouragers of indolence. As many a labouring man has not an idea of following his usual employ, while he has the means of raising a six-pence, leaving himself destitute of every useful and necessary article of life, and instead of rendering himself a useful member to society, by a proper attention, and industry in his humble situation, he becomes a vagrant totally lost to every sense of decency. I shall now proceed by informing the public how far pawnbrokers are encouragers of swindlers.

'The general, tho' not the most destructive set of men under that description are what I shall call the petty swindler, whose original introduction is by pawning some trifling article
they

they have obtained on credit, (for the supposed purpose of making up, or disposing of in the common course of trade) for a small sum, this method proving much easier to supply their wants, than by exercising their industry in their lawful callings, finding themselves thus accommodated with money for the present purpose, for the purpose perhaps of lavishing away in the most profligate and abandoned manner; they are led on to involve themselves in greater difficulties, from time to time they are deluded with this temporary existence, till at length they totally neglect and despise all manner of business. Their credit being at last stopped, they have no means of living, but are destined to spend the remains of their days in a gaol, or wander about on the face of the earth as vagrants; till from one vice to another, they, perhaps, commence house-breakers, footpads, or the like, and conclude their existence by forfeiting their lives to the injured laws of their country. By this means the world is deprived of a man that might have lived and maintained his family with reputation, and rendered himself a useful member to society, as he never might have receded from the paths of virtue and honesty, had not this very beaten track been open to delude him. Perhaps it may be argued, that if there were no pawnbrokers, the very same articles might have been disposed of by sale. By no means, I am not so uncharitable as to believe persons within my meaning
(in

(in the first stage of this business) to be guilty of so palpable a defraud. It is natural to suppose this custom of pawning is at first carried on without injury to any one, as the several articles are regularly redeemed and appropriated to the purposes they were originally designed for, till the interest (alone) becomes a greater burthen than the party is able to bear, from this he proceeds instead of redeeming them, by means of cash, to pledging one article to redeem another, consequently every future must exceed the former in value, on account of the interest, and probably there may be some balance of cash wanting for present use, in this situation goods of double and treble value, are now wanted for the enlargement of the last; till at length every species of goods that goes are obligated to remain prisoners, the pawner having no means left for their redemption. To prevent this evil, there is, undoubtedly, a penalty on the pawnbroker, in case he does not make certain enquires of the name and place of abode of the person or persons, pawning, pledging or exchanging such goods or chattles; but before I state the means of their evading that penalty, I shall recite a clause in an act passed in the 27th of GEORGE II.

“ And be it further enacted by the authority
 “ afore said, that from and after the twenty-
 “ ninth day of September, one thousand seven
 “ hundred and fifty seven, if any pawnbroker,
 “ shall take by way of pawn, pledge, or ex-
 “ change,

“ change, of or from any person or persons
 “ whomsoever, any goods or chattles of what
 “ kind soever the same shall be, he shall forth-
 “ with enter, or cause to be entered, in a fair
 “ or regular manner, in a book or books to be
 “ kept for that purpose, a description of the
 “ goods or chattles which he, she, or they,
 “ shall receive in pawn, pledge, or exchange;
 “ and also the sum of money advanced thereon,
 “ with the day of the month and year on which,
 “ and the name and place of abode of the per-
 “ son by whom such goods or chattles were so
 “ pawned, pledged, or exchanged, and also the
 “ name and place of abode of the owner or
 “ owners thereof, according to the information
 “ of the person pawning, or pledging, or ex-
 “ changing the same, and shall, at the same
 “ time, give a duplicate or copy thereof to the
 “ person or persons so pawning, pledging, or
 “ exchanging the said goods or chattles, if re-
 “ quired, for which the person or persons who
 “ shall so pawn, pledge or exchange such goods
 “ or chattles, shall pay the sum of one half-
 “ penny on goods and chattles pawned for less
 “ than twenty shillings and one penny for
 “ goods and chattles pawned for twenty shil-
 “ lings, and not exceeding five pounds, and
 “ for every such duplicate upon goods or chat-
 “ tles, pawned for any larger sum, the sum of
 “ two pence and no more, and in default of
 “ making such entry, and giving such dupli-
 “ cate or copy, if required, as aforesaid, he,
 “ she,

“ she, or they shall respectively for every of
 “ fence, forfeit the sum of five pounds : to be
 “ levied by distress and sale of the goods and
 “ chattles of the offender or offenders by war-
 “ rant under the hand and seal, or hands and
 “ seals of any justice or justices of the peace of
 “ the county, riding, division, city, liberty,
 “ or place, where the offence shall be com-
 “ mitted ; which respective forfeitures when
 “ levied, shall be paid and applied to the use
 “ of the poor of the parish or place wherein
 “ the offence shall be committed.”

The intent and meaning of the above recited
 and every other clause, in that act of parlia-
 ment, was to prevent persons from pawning
 or disposing of any kind of goods, (that were
 not their own property) without the consent of
 the owner. All the attention the pawnbroker
 gives in compliance to this act is, to ask the
 name of the person who presents any article as
 a pledge, and sometimes may inquire the place
 of abode ; but if the person pledging such goods,
 wish to evade this last enquiry, the pawnbro-
 ker instead of being more strict on that ac-
 count, adds ; “ We put this question in confor-
 “ mity to the act of parliament ; therefore it is
 “ necessary you name *some* place, but it is of no
 “ consequence to us, whether it is or is not,
 “ your *actual* residence.” I shall make another
 very capital objection to their proceedings ;
 that is, knowingly making a false entry in their
 books, as the means of themselves and the per-
 son

son pawning the same escaping undetected ; it is very common for a pawnbroker, notwithstanding he is well acquainted with both the name and place of abode of the party, to make an entry in his books of the goods or chattles in a name totally different, and the place of residence, far wide of their actual dwelling : nothing could induce a man in open violation of the law, to be guilty of such a transaction, but a supposition, if not a positive proof, that the person pawning such goods, had obtained them by false pretence, or open defraud. This, alone must certainly convince every person of common understanding, that, in every sense of the word, a pawnbrokers shop is an established nursery for swindlers.

I shall proceed by mentioning further evils by which means they are productive of the ruin of many industrious families, particularly persons in the working branch of any business. Men under this description are frequently intrusted with things of great value, such as watch-finishers, jewellers, goldsmiths, &c. who from a scarcity of money, are induced to pawn the property of their employers to relieve their present wants ; their circumstances, by this means, instead of mending, becomes worse every day. If they were incapable of supporting themselves and family by means of their own industry, it cannot be supposed they are now enabled to do it : as they have to labour, not only to support their family, but likewise to

discharge a most enormous interest for the use
 of the money they have been, and, in fact, are
 now subsisting on. Thus situated, a man is
 necessitated to make exchanges, perhaps every
 day, paying at each exchange, a months inter-
 est, at the rate of thirty per cent. As a proof
 of the above, I shall relate a circumstance ex-
 actly as it happened; 'A person in the mend-
 ' ing branch of the watch business was intrust-
 ' ed for the purpose of repairing and cleaning,
 ' with goods of great value; to supply a defi-
 ' ciency of cash, he was induced to pledge two
 ' silver watches, he redeemed them, and re-
 ' stored, in proper repair, to his employer.
 ' From this time when he was in want of
 ' money, he always had the means of supply-
 ' ing himself by that wretched custom of pawn-
 ' ing. This man was supplied every day
 ' with goods from his employer, which, as re-
 ' gularly, were conducted to this honest Usurer,
 ' for the purpose of releasing others in his pos-
 ' session, which the mechanic was obliged to
 ' deliver to the owners, having been the full
 ' time in his hands, usually allowed for the
 ' necessary repairs. This trade was carried on
 ' by this unfortunate man for near two years,
 ' and would not have been discovered but from
 ' a scarcity of business, which deprived him of
 ' the means of any longer exchanging, having
 ' not sufficient value in his possession: this
 ' transaction was not longer a secret to his em-
 ' ployer. He applied to the pawnbroker, who
 ' very

' very willingly delivered up the goods in his
 ' possession, without either principle or interest,
 ' to prevent a prosecution being commenced
 ' against him. Upon a thorough investigation
 ' of this business, it appeared that this man had
 ' been labouring many months for little more
 ' than what was sufficient to pay the interest,
 ' which, from the various exchanges made in
 ' the course of each week, seldom amounted to
 ' less than twenty shillings. Through the in-
 ' terposition, however, of some friends, this
 ' poor man was reinstated in his business, and
 ' was fortunate enough to regain the confi-
 ' dence of his master, who to this hour con-
 ' demns the iniquitous practice of pawnbrokers
 ' encouraging such transactions.'

In many similar cases, such a matter would
 prove the entire ruin of a family, as by a pub-
 lic explanation, the man has no future hope of
 being employed by any of the trade. In behalf
 of the pawnbroker, it may be argued that no
 truly *honest* man could possibly be guilty of so
 base a trick as making use of the property of
 another.—I can by no means defend such a
 character; but if it is not in our power to alter
 the depraved principles of mankind, we should
 prevent, as much as possible, that the pub-
 lic be not injured by their practice. Had there
 been no pawnbroker, this man could not have
 committed a fraud, as he would have had no
 means of raising money on his masters goods,
 but would have been content with working at

his trade, and reaping the fruits of his honest industry ; he would have found his accounts much more advantageous, and his mind in a state of serenity and peace.

In each of the foregoing instances, I have, I flatter myself, fully convinced the public of the many evils arising from permitting pawnbrokers to carry on their business on their present establishment, in short, in my opinion, a pawnbroker is equally the assistant of a swindler, that a Jew, receiver of stolen goods, is to a thief. Indeed, I am convinced, that were there no receivers, there would be no thieves ; and I have every reason to believe, that were pawnbrokers prohibited, swindlers would be almost unknown, but by name : certainly the original introduction of such men to society, were from motives of humanity, that when any poor man happened to be in absolute want of a temporary supply of cash, he had an opportunity of accommodating himself for any length of time (tho' at an *exorbitant* interest) on his own property, without injuring any one, or making his wants known ; this is the only apology that can be made for so destructive a set of men being countenanced. But if we consider that the pawnbroker, who acts expressly agreeable to their first institution, and who do not in any degree, encourage suspicious characters to continue in a course of villany, but, perhaps, sometimes stop them in the full career of their infamous proceeding, are but few, when compared with
the

the number of their brethren, who gladly share in the daily depredations made on the public; we must undoubtedly grant that it would be much better for the general interest of society, that the whole race were entirely annihilated, rather than be suffered to exist for the purpose of merely accomodating *but* a few individuals.

If the legislature should, however, look upon them as necessary evils, let them exist in a moderate degree; let them not swarm in all parts of the town, as we see them at present, and indeed daily encreasing; let them, instead of infecting every street and alley, be limited one for every parish, except in very large parishes, where perhaps more may be necessary, and if their baneful influence should be allowed to be carried out of the metropolis, let (in general) one be thought sufficient for most cities and capital towns. And, in order to prevent a greater number, than may be allowed by law, from carrying on this business, let it be enacted that whosoever is found so offending, forfeit a certain sum to be levied by distress and sale, &c. one moiety of the said penalty to go to the king, the other to the informer. And even such limited number, both in London and the country, to be restrained from receiving, under a certain considerable penalty, any goods or chattles in pledge exceeding the value of five shillings, without making strict enquiry into the circumstances and situation of the person or persons offering the same to pawn; and no new goods
what-

whatever to be taken as a pledge, without the party's producing a bill and receipt for the same; and even in that case if the pawnbroker has any reason to suspect a deception, he shall be authorized, and thereby required to detain such goods till sufficient proof is produced of the authenticity of such bill and receipt. By this caution, no person would be able to obtain goods on credit, as is too often the case, and immediately pawn them, neither could the mechanic dispose of his employers property. In case such an act should pass into a law, the penalty, on the side of the pawnbroker, should be great, and a part of it be appropriated to the use of the informer. Agreeable to the present law, the whole fine goes to the poor of the parish wherein the offence was committed. It was certainly very humane of the legislature in appropriating it to so laudable a purpose, but as we may very justly suppose that informers, in general, are seldom men of any considerable property, they desist from giving, even, necessary intelligence to the magistrates because they have no advantage by the offenders conviction. In highway robberies, housebreaking, &c. if the reward for apprehending and taking them was paid to the overseers of the poor of the parish wherein the same was committed, you would not then find so many persons active in taking them; I would further advise, that the same act of parliament make it felony, for any person or persons to pawn, pledge, or exchange any article whatever, except

cept the same has been duly paid for as his or her own property ; I should likewise think it adviseable, to prevent deception, as well as producing an emolument to government, to have a proper officer appointed to survey the books of each pawnbroker weekly, and to levy a tax of five per cent. upon all the money they receive for interest ; * this would enrich the state without *oppressing* individuals, as the profits of their profession would make ample allowance for such a drawback.

I shall now state another practice that is greatly productive of swindling ;—After a man has obtained goods to a considerable amount, he gives a bond, and confesses judgment, (as of a former term) to some associate and brother in iniquity, for a large sum, who brings his execution, in consequence of that judgment, sells the property under the sheriff, the plaintiff and defendant sharing the produce, and then laugh at the credulity of the different tradesmen from whom they have obtained them ; this evil is undoubtedly to be remedied by the interference of the legislature, by making it felony for any person, who shall, in future, confess a judgment, or give a bill of sale on effects, unless they are his sole property, and every respective article in the said bill of sale duly paid for by the person

* Their charges for interest and what they call warehouse-men, is thirty per cent. and in some cases they receive a hundred.

giving

giving the same; and likewise by levying a penalty of treble the value of the goods on any person or persons who shall advance any sum or sums of money on any such bond or bill of sale, without being fully convinced that the same is the sole property of the person for whom the money is advanced (by his producing the bills and receipts for the same, or some other respectable vouchers to prove the goods in question have been paid for.) If a law of this nature was in force, the swindler would not be able to exist, as he could have no advantage in following a profession in which he had not the means of disposing of his commodity. Neither should we then find so many men skulk into a goal to avoid a settlement with their creditors (who would, there is no doubt, be very ready to listen to any reasonable proposition) as they would not have the means, *so generally used*, of supporting themselves in idleness with the produce of their creditors property: If such a law was existing, every man would openly and candidly lay his circumstances before his creditors, and if it were found that his embarrassments arose from real misfortunes in trade, they would, doubtless, on his appropriating the whole of his property to their benefit, not only pity and protect him, but also, instead of oppressing, assist him to continue his business with fresh credit.

To prevent any illegal debt or note being an incumbrance on the insolvents estate, where
such

such demand did not prove satisfactory to the majority of the creditors, or they had reason to suspect there had not been value given for the same, it should be investigated before any two or more justices of the peace; and in case the same was not proved a legal demand, the creditors should be bound over to prosecute at the next general or quarter sessions; and the party making such illegal demand to find sufficient bail or be committed to gaol for trial; and if found guilty, he should at least suffer twelve months imprisonment, and during that time, be either publicly whipped or pillor'd; and if the insolvent should be detected in secreting any book debts, or other property from his said creditors, he should be deemed guilty of felony.

This method would be equally advantageous to both creditor and debtor, as there might be a clause inserted in such act of parliament, to oblige the creditors to give a full discharge in case it appeared to a certain number, that the debtor had duly given up the whole property in his possession, and as soon as he became insolvent, made a full and open confession of his situation, and in case of such disagreement amongst the creditors, they should appeal to any two or more justices of the peace, and their opinion after a full hearing should be decisive, and the man discharged from his debts upon the said stipulated number of his creditors signing a release to be witnessed by the magistrates determining the same.

D

It

It may be argued, the bankrupt laws now in being, would have the same effect; at the same time, I would wish the reader to consider, in many instances, the several debts do not amount to a sufficient sum, to what they call strike a docket, and where it may, the several expences attending a commission would very nearly deprive the creditors of any dividend; and where a man's whole debts perhaps does not amount to more than three hundred pounds, the expences of a commission alone would very nearly launch into one third; and if his effects (without any expence) would produce ten shillings in the pound, by a bankruptcy the creditors would not receive four. This certainly requires the attention of parliament, and the public at large. I shall not quit this business without making some remarks on sales by auction, if a swindler keeps the transaction within his own hands, his general method of concluding the business is, to dispose of the property by this means; to put a stop to this practice, let it, as before described, be felony, for any person to employ any broker or auctioneer, to sell any estate, goods, or any other commodity whatever, either by public sale, or private contract, unless the same is his or her sole property, and duly paid for as aforesaid, or if any person or persons shall, in future, either by private or public sale, dispose of any goods or chattles for less than the original value (except such goods are damaged or unsaleable) so as to detriment his, her, or their
 credi-

creditors, he shall be, by virtue of a warrant, taken before any two or more justices of the peace, and in case he cannot give a sufficient reason for so doing, he shall be committed for defrauding his creditors, and the wholesale dealer or dealers, from whom such goods were purchased, be bound over to prosecute, and as the means of detecting such persons, every auctioneer, or broker, shall advertise in some one paper *named in such act of parliament*, at least ten days before such auction or sale, mentioning both the christian and surname of the person or persons to whom such goods belong, together with his, her, or their place of residence at the time such goods were first ordered for sale, and in case the said goods are not as before described, duly paid for, and thereby the legal property of the person selling the same, the tradesman, or tradesmen of whom such goods were purchased, shall be impowered to prevent such sale, till he, she, or they are paid for such goods as has been obtained on credit, or the auctioneer or broker gives sufficient security for the payment of the same when the goods are sold. In case any broker or auctioneer should omit such advertisement, or insert a wrong name, or place of abode, he shall, for every such offence forfeit treble the value of the goods in question. The aforesaid hints undoubtedly demand the strictest attention of the public at large, particularly the commercial and trading part of mankind.

As

As by petitioning parliament for leave to bring in such a bill, if such petitions was accepted, the bill agreed to, and was so fortunate as to meet with the concurrence and approbation of the British senate, the merchant and tradesman would then be protected from every species of fraud and imposition, and might, unmolested, proceed in his business with both pleasure and profit, without his peace of mind being daily ruffled by the designing, cunning arts of the sharper and swindler.

F I N I S.

Just published, Price 1s. 6d.

A new Edition of the SWINDLER DETECTED.

